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CHARLOTTE ~ SAVANNAH ~ BLUFFTON ~ HINESVILLE

Hon. Gates F. Peed
Chief Superior Court Judge
Ogeechee Judicial Circuit
P.O. Box 967
Statesboro, GA 30459

Re: RULE 17.1 NOTICE OF CONFLICT
State of Georgia v. Matthew Richard Seay
Case No. SU19CR563

Dear Judge Peed,

Please be advised that I am scheduled to appear as the attorney of record for the Defendant before your Honor in the above referenced criminal action on January 28, 2020 at 8:30 AM for Jury Selection. I am also scheduled to appear on January 28, 2020 at 1:30 PM as the attorney of record for the Defendant in the criminal sentencing following the felony jury trial case styled *United States of America v. Timothy Jermaine Pate* case number 1:18-cr-0045-RSB-BWC at the Augusta Division Federal District Court for the Southern District of Georgia. I certify that the jury selection in *State of Georgia v. Matthew Richard Seay* scheduled January 28, 2020, cannot be adequately handled and my client's interest adequately protected by other counsel in my firm and that I am unable to resolve this conflict.

Pursuant to Uniform Superior Court Rule 17.1(B), I propose the jury selection in the Superior Court matter SU19CR563 be continued so that the sentencing following the felony criminal jury trial in 4:15-cr-00133 may proceed. The sentencing matter involves travel of several federal judicial officers and their staff as well as other out of town participants and prosecutors bringing a several day jury conviction to conclusion. Additionally, I have moved for a continuance in the Superior Court matter on the basis of a video recording missing in discovery that would prevent the defense from being ready for trial in any event.

Given the nature of the offenses of filing false liens against judicial officers and the numerous victims including judges and court clerks of Mr. Pate in the federal matter coupled with potential judicial conflicts of interest resulting in recusal of local judges and clerk staff in the Augusta Division from presiding, it would be significantly more onerous to reschedule sentencing in the

U.S.A. v. Pate matter than jury selection of a DUI and Simple Possession of Controlled Substance 1st Offense matter in Superior Court. Therefore, I inform this Court that intend to appear at the sentencing post jury trial conviction hearing for the *U.S.A. v. Pate* matter in lieu of jury selection in the State v. Seay.

With kind regards,

THE NYE LAW GROUP, P.C.

JDM

cc: ADA Barclay Black
AUSA Christopher Howard
Hon. R. Stan Baker

/s/ Justin D. Maines
Justin D. Maines
Attorney for Matthew Seay